

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

TODD A. MARCUM,

Plaintiff, : Case No. 3:07-cv-214

-vs- : District Judge Thomas M. Rose
Chief Magistrate Judge Michael R. Merz

UNITED STATES POSTAL
SERVICE, et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 23), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on August 21, 2008, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that this case be dismissed without prejudice for lack of jurisdiction.

August 25, 2008.

s/ Thomas M. Rose
Thomas M. Rose, Judge
United States District Court